

**REMARKS/ARGUMENTS**

This Amendment is in response to the Final Office Action of October 17, 2008 in which the Examiner rejected claims 19 and 22-35 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,950,179 (“**Buchanan**”), in view of U.S. Patent No. 6,342,524 (“**Lent**”).

By the present Amendment, claims 19, 22-24, 26 and 27 have been amended. Applicant respectfully submits that with the clarifications provided in the amended claims, such claims are clearly distinguishable over the cited references.

As explained in Applicant’s earlier response, the present invention has a purpose of managing new credit accounts for fraudulent activity, when the accounts have been opened on a real-time basis. As further explained in the Specification, such accounts have transactions processed using batch processing, with the batch processing executed at designated times, and with the batch processing required to fully establish the account. A set of fraud prevention features are enabled for the new account during batch processing by populating or establishing information or parameters for the account. Until the batch processing takes place and the account is fully established, the new account is vulnerable to fraud (see, e.g., Specification, paragraph 10).

Thus, Applicant’s invention as embodied in amended claim 19 includes, among other things, the steps of approving and opening a new credit account in real-time, and upon opening the new account, applying a second set of measures in the form of restrictions to the new account in real-time in order to minimize fraudulent activities until the account is fully established by executing the transaction batch process. In claim 19, Applicant has emphasized that the two sets of fraud prevention measures are “separate,” with one set being established as part of transaction batch processing and the other set being applied when the new account is set up and until the batch process is executed.

In the Office Action, the Examiner states that **Buchanan** discloses credit card accounts that are fully established by executing a batch process, and that the batch process establishes parameters for fraud measures. The Examiner also states that **Buchanan** discloses

applying a set of restrictions until the credit card account is fully established by executing the batch process (page 4 of the Remarks). Applicant respectfully disagrees.

**Buchanan** discloses a system for issuing an advance credit card to a customer that has agreed to make a security deposit (for a secured credit card account). Since the customer has not made the actual security deposit, the card is subject to a modest credit limit and a limited term (say three months), and is deemed "unfulfilled." The unfulfilled account may be closed if the limited term expires, and the customer has not used the card and not made the deposit, or if the customer is delinquent or in default. The credit limit is increased once the security deposit is made and the account becomes "fulfilled" or secured.

**Buchanan** does not disclose any batch process, including a "transaction batch process" as recited in claim 19. Furthermore, **Buchanan** does not disclose or suggest an account that has two "separate" sets of fraud measures, one of which is enabled "when the account is fully established by executing the transaction batch process at the computer system" and the other applied "upon opening a new credit card in real-time" and "until the new credit card account is fully established by executing the transaction batch process." Such features are likewise not disclosed or suggested in **Lent** (either alone or as combined with **Buchanan**).

Accordingly, claim 19 (and independent claim 27, which recites similar subject matter) is believed distinguishable from **Buchanan** and **Lent**. Dependent claims 22-26 each recite limitations in addition to those of their respective parent claims 19 and 27, and are thus believed allowable for at least the same reasons as stated above.

### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

Appl. No. 10/091,605  
Amdt. dated December 17, 2008  
Amendment under 37 CFR 1.116 Expedited Procedure  
Examining Group 3692

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

*/Stephen F. Jewett/  
Stephen F. Jewett  
Reg. No. 27,565*

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 415-576-0300  
SFJ:bhr  
61723386 v1